IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 3th day of October, 2005
Ist Crl. Bail Application No. 565 of 2005

Order on the Bail Application:

CRIMINAL SIDE

Awatar Singh
S/o Shri Asar Singh,
R/o Village Poolan, Patwari Circle Khaliyan
Tehsil Jakholi, Distt. Rudraprayag. …..…... Applicant

Versus

State of Uttaranchal ..…….. Opposite Party

Arising out of Crime No. 03 of 2005
Under Sections: 498 A, 304B of I.P.C.
Police Station: Patwari Circle Khaliyan, Tehsil Jakholi
District: Rudraprayag.

Hon'ble P.C. Pant, J.

Heard Mr. R.P. Nautiyal, learned counsel for the applicant and learned A.G.A. and perused the record.

This is bail application moved on behalf of the applicant-accused Awatar Singh who is arrested in March, 2005 in case crime No. 03 of 2005 under Section 498A and 304B of the Indian Penal Code, 1860 registered at Patwari Circle Khaliyan, Tehsil Jakholi, District Rudraprayag.

Perusal of the First Information Report shows there is delay of more than seven days. The complainant, father of the deceased, has mentioned that the death is 'suspicious'. From the postmortem report it appears that no cause of death could be ascertained and visra was preserved. From the Inquest report also, it appears that it is the accused-applicant who informed the Patwari about the death of his wife.

In the facts and circumstances of the case, it is a fit case for bail. Let the applicants namely, Awatar Singh be released on bail on his executing a personal bond Rs. 20,000/- with who sureties each in the like amount to the satisfaction of the C.J.M. Rudraprayag.

Dt. 03.10.2005 **(P.C. Pant, J.)**
HN